

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIC MORLEY,

Plaintiff,

v.

Case No. 15-11023
HON. TERRENCE G. BERG
HON. ELIZABETH A. STAFFORD

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

**ORDER DISMISSING CASE WITHOUT PREJUDICE
FOR FAILURE TO PROSECUTE**

On February 16, 2016, this Court entered an order notifying Plaintiff that this case would be dismissed without prejudice for failure to prosecute unless: (1) Plaintiff communicated to the Court that he wished to represent himself and pursue this case; or (2) a new attorney for Plaintiff appeared on Plaintiff's behalf. (Dkt. 13, p. 3.) The order established a deadline of March 1, 2016, and stated that the deadline would not be extended. (*Id.*)

That deadline has now passed. As of today's date, the Plaintiff has not done anything that would indicate he wishes to continue this case. Moreover, no attorney has entered an appearance on his behalf. As part of its inherent authority to manage its docket, the Court has the power to dismiss a complaint *sua sponte* for failure to prosecute. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-32 (1962).

Accordingly, this case is hereby **DISMISSED WITHOUT PREJUDICE** for failure

to prosecute.

Because this case is being dismissed *without* prejudice, Plaintiff may re-file this case at some point in the future, provided that it is filed before certain deadlines expire. If Plaintiff intends to re-file this case, Plaintiff is strongly encouraged to seek the assistance of an attorney experienced in handling Social Security cases. Plaintiff may apply to proceed *in forma pauperis* if he decides to re-file this case and cannot afford the civil filing fee.

SO ORDERED.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: March 7, 2016

Certificate of Service

I hereby certify that this Order was electronically submitted on March 7, 2016, using the CM/ECF system, which will send notification to each party; a copy of this order was also mailed to Eric Morley at 321 W. River Road, Flushing, MI 48433.

By: s/A. Chubb
Case Manager